REMARKS

This Amendment is submitted in response to the Office Action dated March 22, 2006, having a shortened statutory period set to expire June 22, 2006, extended to August 22, 2006. Claims 1-25, 27-79 are pending. Applicants have amended Claims 1, 2, 4, 27-28, 30-31, 53-55 and 58 and have canceled Claim 26. No new matter has been entered by these amendments. Reconsideration of the present case is earnestly requested in light of the amendments herein and the following remarks.

Claim Rejections -- 35 U.S.C. § 102

On page 2 of the present Office Action, Claims 1, 53-54 and 56-58 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Horan* (United States Patent No. 6,220,596). That rejection is respectfully traversed and reconsideration of the claims is requested. With respect to independent Claims 1 and 53 in the present application, therein is recited, *inter alia*:

> *associating each of the first set of indicators with a win enhancement value;*
> *electing whether the first set of indicators should be associated with columns or rows on the at least one bingo card;*
> *associating at least one of the first set of indicators to at least one of the elected at one columns or rows;*

It is submitted on page 3 of the present Office Action that these elements of the preferred embodiment are disclosed by *Horin* in Figs. 2 and 3 and the related description thereof. It is stated on page 3 of the present Office Action that "**providing at least a first set of indicators**" as recited in Claim 1 is shown by the relationship with *B-I-N-G-O* and the columns or rows. Given that, nowhere is it suggested to associate each of the *B-I-N-G-O* indicators with a **win enhancement value**. Further, it is explained at col. 2, lines 43-57 that a user selects "numbers" from within the rows and columns designated by *B-I-N-G-O*. Players are then awarded a win value based on the automatic and random selection of balls which indicate the called numbers of the bingo game. A "win" of the 3 BY 3 Pick-N-Choose Bingo by a player's bingo card matching the randomly selected numbers in a winning pattern (see col. 3, lines 23-50; col. 6, line 25-col. 7, line 11). Nowhere within col. 2-8 does *Horin* describe "**electing**" whether the set of indicators

is "**associated**" with a row or column on the bingo card. *Horin* does describe 3 BY 3 bingo having three numbers or two numbers and a free space in a straight line. The B-I-N-G-O indicators are specified by the computer (col. 3, ln.s 23-50) and the user elects "numbers." (see col. 6, lns. 38-58). It is explained at col. 2, lines 43-57 that a user selects "numbers" from within the rows and columns designated by *B-I-N-G-O*. Players are then awarded a win value based on the automatic and random selection of balls which indicate the called numbers of the bingo game. A "win" of the 3 BY 3 Pick-N-Choose Bingo by a player's bingo card matching the randomly selected numbers in a winning pattern (see col. 3, lines 23-50; col. 6, line 25-col. 7, line 11).

The description of Figs. 2 and 3 do not show associating each of the *B-I-N-G-O* indicators with a win enhancement value, and electing whether those should be associated with columns or rows as suggested in the Office Action. Applicants respectfully submit that *Horin* does not show or suggest "**electing whether the first set of indicators should be associated with columns or rows on the at least one bingo card,**" or "**associating at least one of the first set of indicators to at least one of the elected at one columns or rows**" as is provided in exemplary Claim 1.

> Exemplary independent Claim 1 in the present application further recites, *inter alia:*
>
> *paying, in addition to the win value, the at least one player the win enhancement value associated with the at least one of the first set of indicators if the at least one player has a bingo card with numbers matching those selected from the set of potential numbers, and if the pattern formed by the matching numbers matches the at least one pattern designated as a winning pattern and the pattern is within the associated at least one of the columns or rows*

Horin teaches the bingo balls are electronically mixed and separately drawn by a pure random number generator with no glitches (col. 4, lines 22-24), the fees and prizes are calculated for each game separately (col. 4, lines 18-20), the drawn balls are displayed with a *B-I-N-G-O* column designation and number (col. 4, lines 26-27), and that when the bingo cards accomplish a winning bingo, prizes are calculated, including a progressive jackpot pool that may carry over (col. 4, lines 40-43). *Horin* clearly teaches that a win value is calculated and paid upon the player obtaining the winning bingo pattern, and further that "a player accomplishes a two (2)

numbers called bingo, it pays a minimum $100.00 progressive jackpot" (see col. 6, lines 9-11). However, neither of the payouts disclosed by *Horin* is an enhanced payout that is "**associated with the at least one of the first set of indicators**" and is paid out "**in addition to the win value,**" when the pattern is "**within the associated at least one of the columns or rows**" as is recited in exemplary Claim 1.

As Applicants have explained, *Horin* does not show or suggest any of these elements of the preferred embodiment as claimed in exemplary claim 1. Consequently, Applicants respectfully submit that *Horin* cannot anticipate the present invention as recited in exemplary claim 1, and therefore that rejection should be reconsidered.

With respect to independent exemplary Claim 56, therein is recited, *inter alia:*

> *a selection means for determining the winner, wherein the selection means iteratively generates a random number using the random number generator, matches the number to its corresponding numbered space, if present, on the bingo card, and if the column or row with which the random number is associated is not matched to an indicator, selects an indicator at random and matches it to the column or row with which the random number is associated, and generates additional numbers and matches them to corresponding numeric spaces on the bingo card until the game has ended*

It is argued on page 4 of the present Office Action that *Horin* discloses this element of Claim 56 at col. 5, lines 26-42. However, nothing within the cited section of *Horin*, or any other teaching of *Horin*, shows or suggests "**if the column or row with which the random number is associated is not matched to an indicator, selects an indicator at random and matches it to a column or row with which the random number is associated.**" For this reason, and the same reasons as given above with respect to independent Claim 1, Applicants respectfully submit that *Horin* does not show or suggest the present invention as claimed in independent Claim 56, and that the rejection of that claim should be reconsidered.

With respect to independent exemplary Claim 58, therein is recited, *inter alia:*

> *paying, in addition to the win value, the at least one player the win enhancement value if the at least one player has a bingo card with numbers matching those selected from the set of potential numbers, if the pattern formed by the matching numbers matches the pattern designated as a winning pattern, and if*

the pattern formed by the matching numbers contains at least one win enhancement activator associated with one of the matching numbers

Nowhere does *Horin* show or suggest that a win enhancement value, in addition to a win value, is paid to a player having a matching pattern "**if the pattern formed by the matching numbers contains at least one win enhancement activator associated with one of the matching numbers.**" *Horin* teaches paying out for a matching pattern of numbers, not based on the pattern containing a "win enhancement activator associated with one of the matching numbers".

It is argued on page 5 of the present Office Action that this element of Claim 58 is shown at col. 7, line 34-col. 8, line 18. As explained by *Horin* at column 7, line 61, *et seq.*, the balls are drawn and bingo notification and winnings are identified. A progressive pool is also paid based on bingo winning patterns. What is completely devoid from the teachings of *Horin* is any suggestion that a unique "**win enhancement activator associated with one of the matching numbers**" found within the wining pattern results in "**paying, in addition to the win value, the at least one player the win enhancement value**". Consequently, for these reasons, and the reasons given with respect to independent Claim 1, Applicant's respectfully submit that *Horin* does not show or suggest the present invention as claimed in independent Claim 58, and that the rejection of Claim 58 should be reconsidered.

Claim Rejections -- 35 U.S.C. §103

On page 6 of the present Office Action, Claims 2-25, 27-52, 55 and 59-79 have been rejected under 35 U.S.C. §103(a), as being unpatentable over *Horin* in view of *Weingardt,* (United States Patent No. 5,727,786). That rejection is respectfully traversed and reconsideration of the Claims is requested.

Regarding independent Claim 27, therein is recited, *inter alia:*
> *associating each of the first set of colors with a win enhancement value;*
> *associating at least one of the first set of colors to at least one column;*

While the Examiner is correct (as stated on page 7) that *Weingardt* teaches the

implementation of using colors to determine certain pre-established payouts depending on whether the player has all one color in bingo, nothing within *Weingardt* shows or suggests **"associating at least one of the first set of colors to at least one column"** of the bingo card. Instead, *Weingardt* teaches that a specific color is associated with specific <u>numbers</u>, not columns (see col. 4, line 51-col. 5, line 33). Therefore, while *Weingardt* teaches associating a subset of numbers with specific colors, nothing within *Weingardt* suggests that such colors should be identified with a specific column, <u>independent</u> of any number. In this respect, *Weingardt* actually teaches away from the present invention. Therefore, Applicant's respectfully disagree that there's any motivation to implement the features taught in *Weingardt* in a system such as the one disclosed by *Horin* in a way that would suggest to one of ordinary skill in the art the present invention. Consequently, for these reasons, and the reasons given with respect to independent Claim 1, Applicants respectfully submit that *Horin* in view of *Weingardt* does not show or suggest the present inversion as claimed in independent Claim 27, and that the rejection thereof should be reconsidered.

With respect to independent Claim 55, therein is recited, *inter alia:*

> *paying, in addition to the win value, a first bonus to the at least one player if the at least one player has a bingo card with numbers matching those selected from the set of potential numbers, if the pattern formed by the matching numbers matches the at least one first pattern designated as a winning pattern, and if the pattern formed by the matching numbers contains at least one win enhancement activator number, wherein the value of the first bonus equals the win enhancement value associated with the color associated with the column in which the win occurs; and*

Nowhere within *Horin* or *Weingardt* is there shown or suggested that a "color associated with the column in which the win occurs" is used to identify payment of a first bonus. *Horin* teaches identifying rows and columns in which a pattern will identify bingo payment of a "win value" if the "pattern formed by the matching numbers matches the at least first pattern designated as a winning pattern." But nowhere does *Horin* or *Weingardt* suggest that a <u>first</u> bonus is paid **"in addition to the win value"** that **"equals the win enhancement value associated with the color associated with the column in which the win occurs."**

Claim 55 further recites inter alia:

paying, in addition to the win value, a second bonus to the at least one player if the at least one player has a bingo card with numbers matching those selected from the set of potential numbers, if the pattern formed by the matching numbers matches the at least one second pattern designated as a winning pattern, and if the pattern formed by the matching numbers contains at least one win enhancement activator, wherein the value of the second bonus equals the win enhancement value associated with the graphic associated with the row in which the win occurs

Nowhere does *Horin* or *Weingardt*, show or suggest that a <u>second</u> bonus is paid "**in addition to the win value**" that "**equals the win enhancement value associated with the graphic associated with the row in which the win occurs**" as is recited in independent Claim 55 of the present application.

For these reasons, and the reasons given with respect to independent Claim 1, Applicants respectfully submit that *Horin*, *Weingardt* nor any combination thereof shows or suggests the present invention as claimed in independent Claim 55.

In summary, Applicants respectfully submit that neither *Horin*, nor *Horin* in view of *Weingardt* shows or suggests the present invention as claimed in the present application. Applicants request reconsideration of the rejection of independent Claims 1, 27, 55, 56 and 58. Moreover, for the reasons given above, Applicants similarly submit that the claims dependent upon the independent claims are similarly not shown or suggested by *Horin* or *Horin* in view of *Weingardt,* and that therefore the rejections of those claims under §102 and §103 should also be withdrawn. Having now responded to each rejection set forth in the present Office Action, Applicants believe all pending claims are now in condition for allowance and respectfully requests such allowance.

Respectfully submitted,

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